

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AXEL RENTAS,

Plaintiff,

-against-

CAPTAIN JOHN RUFFIN, Shield No. 488,
Individually and in his Official Capacity, CO
DIANA BAKER, Shield No. 13239, Individually
and in her Official Capacity, CO KEVIN PARKER,
Shield No. 15629, Individually and in his Official
Capacity, CO MILLS CHARLES, Shield No.
17556, Individually and in his Official Capacity,
DEPUTY WARDEN ELISIO PEREZ, Individually
and in his Official Capacity, CAPTAIN SHARON
CLAYTON, Shield No. 1212, Individually and in
her Official Capacity, CAPTAIN DARRYL
LAGO, Shield No. 1288, Individually and in his
Official Capacity, CO GEORGE RUPPEL, Shield
No. 10461, Individually and in his Official
Capacity, DEPUTY WARDEN WALTER NIN,
Individually and in his Official Capacity,

Defendants.

ORDER GRANTING IN PART
AND DENYING IN PART
PLAINTIFF'S AND
DEFENDANTS' MOTIONS IN
LIMINE

10 Civ. 6242 (AKH)

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ALVIN K. HELLERSTEIN, U.S.D.J.:

For the reasons stated on the record, each parties' motion in limine is granted in part and denied in part. On several different issues, I postponed making a ruling until the evidence is presented at trial. For these issues, the parties shall not refer to the relevant evidence in their opening statements. The Clerk shall mark the motions (Doc. Nos. 81 and 84) terminated.

Plaintiff will reformulate the caption to drop the City of New York as a party and to remove the qualification as to the capacity in which individual defendants are sued.

The issue of respondeat superior can be regulated by motion after verdict to the extent appropriate.

SO ORDERED.

Dated: September 25, 2013
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge